

Message

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**From:** Marcy, Ken [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AF47C9A01A4340379E366A47FBBA5057-MARCY, KEN]  
**Sent:** 5/21/2020 4:26:17 PM  
**To:** Abbett, Marian L. (ECY) [MABB461@ECY.WA.GOV]  
**CC:** shil@yakamafish-nsn.gov  
**Subject:** RE: Delegation of NPL state concurrence to Ecology for Bradford Island?

Hi Marian,

Rebecca did respond and is looking into the delegation issue.

As far as status, the BI site is moving through the National Priorities Listing process. Back in October 2019, Ecology, ODEQ and Yakama Nation wrote a joint letter requesting that EPA list the site on the NPL. EPA R10 has moved the site forward to EPA HQ for listing and is finalizing a documentation record for the listing Rule which is now scheduled to go out in early September. Part of the NPL listing process is to obtain formal written state concurrence for NPL listing. This concurrence either comes from the Governor's office or from the state environmental agency if delegated. In Oregon the concurrence is delegated to ODEQ, so I'm just checking to see if this is still the case for Ecology. If so, EPA can use the October letter as the concurrence letter.

One quick note on the listing process: at present the decision as to whether the site moves forward rests with the EPA Administrator (which is unusual, as is the 6 month delay for the rule). There is a briefing scheduled with the Administrator on June 2 (just HQ), after which we should know whether or not the site is moving forward.

As far as Ecology involvement at the, I'm assuming that someone will continue to participate in TAG meetings.

Let me know if you have any further questions. Ken

KEN MARCY | NATIONAL PRIORITIES LIST COORDINATOR | SITE ASSESSMENT MANAGER  
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**From:** Abbett, Marian L. (ECY) <MABB461@ECY.WA.GOV>  
**Sent:** Thursday, May 21, 2020 9:15 AM  
**To:** Marcy, Ken <Marcy.Ken@epa.gov>  
**Cc:** shil@yakamafish-nsn.gov  
**Subject:** RE: Delegation of NPL state concurrence to Ecology for Bradford Island?

Hi Ken and Laura – I chatted with Rebecca yesterday, and I know she was going to respond if she hasn't already.

With Pete Striplin retired and Rebecca as Acting Program Manager, I need to see about finding someone else to work on this project. Can you give me a sense of what all is happening? Are there meetings to attend? Documents to review? How much time will this project take? Any information would help as I try to resource this project. Thanks!

Marian L. Abbett, PE  
Acting Section Manager  
SWRO – Toxics Cleanup Program  
Desk: 360-407-6257

Cell: **Ex. 6 Personal Privacy (PP)**

*WA State Department of Ecology Southwest Regional Offices is not accepting walk-in service from the public until further notice as we adhere to a statewide effort to slow the spread of the coronavirus (COVID-19). Regional staff are available by telephone and email, and information is also available on our [website](#). We remain committed to service, so don't hesitate to reach out to us.*

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**From:** Marcy, Ken <[Marcy.Ken@epa.gov](mailto:Marcy.Ken@epa.gov)>  
**Sent:** Wednesday, May 20, 2020 3:28 PM  
**To:** Abbett, Marian L. (ECY) <[MABB461@ECY.WA.GOV](mailto:MABB461@ECY.WA.GOV)>  
**Cc:** [shil@yakamafish-nsn.gov](mailto:shil@yakamafish-nsn.gov)  
**Subject:** RE: Delegation of NPL state concurrence to Ecology for Bradford Island?

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Thanks Marian!

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**From:** Abbett, Marian L. (ECY) <[MABB461@ECY.WA.GOV](mailto:MABB461@ECY.WA.GOV)>  
**Sent:** Wednesday, May 20, 2020 2:28 PM  
**To:** Marcy, Ken <[Marcy.Ken@epa.gov](mailto:Marcy.Ken@epa.gov)>  
**Cc:** [shil@yakamafish-nsn.gov](mailto:shil@yakamafish-nsn.gov)  
**Subject:** RE: Delegation of NPL state concurrence to Ecology for Bradford Island?

Thanks Ken. I will try to get ahold of Rebecca this afternoon to get her take on the concurrence authority.

We have had a shift in staffing here. Jim Pendowski is in a different position with the agency. Rebecca Lawson is the Acting TCP Program Manager, and I am the Acting SWRO TCP Section Manager.

Marian L. Abbett, PE  
Acting Section Manager  
SWRO – Toxics Cleanup Program  
Desk: 360-407-6257

Cell **Ex. 6 Personal Privacy (PP)**

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**From:** Marcy, Ken <[Marcy.Ken@epa.gov](mailto:Marcy.Ken@epa.gov)>  
**Sent:** Wednesday, May 20, 2020 2:03 PM  
**To:** Abbett, Marian L. (ECY) <[MABB461@ECY.WA.GOV](mailto:MABB461@ECY.WA.GOV)>

Cc: [shil@yakamafish-nsn.gov](mailto:shil@yakamafish-nsn.gov)

Subject: FW: Delegation of NPL state concurrence to Ecology for Bradford Island?

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Hi Marian – Laura, forwarded you contact information. Earlier today I reached out to Jim Pendowski – you can see the email chain below. If you know anything more about delegation to Ecology for NPL listing concurrence, that would be great. Thanks!

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**From:** Marcy, Ken

**Sent:** Wednesday, May 20, 2020 2:00 PM

**To:** 'Pendowski, Jim (ECY)' <[jpen461@ECY.WA.GOV](mailto:jpen461@ECY.WA.GOV)>

**Cc:** [r1aw461@ecy.wa.gov](mailto:r1aw461@ecy.wa.gov); Level, John A (ATG) <[john.level@atg.wa.gov](mailto:john.level@atg.wa.gov)>

**Subject:** RE: Delegation of NPL state concurrence to Ecology for Bradford Island?

Thank you Jim! I'll stay tuned. Ken

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**From:** Pendowski, Jim (ECY) <[jpen461@ECY.WA.GOV](mailto:jpen461@ECY.WA.GOV)>

**Sent:** Wednesday, May 20, 2020 1:44 PM

**To:** Marcy, Ken <[Marcy.Ken@epa.gov](mailto:Marcy.Ken@epa.gov)>

**Cc:** [r1aw461@ecy.wa.gov](mailto:r1aw461@ecy.wa.gov); Level, John A (ATG) <[john.level@atg.wa.gov](mailto:john.level@atg.wa.gov)>

**Subject:** RE: Delegation of NPL state concurrence to Ecology for Bradford Island?

Ken: I don't have any practical way to answer your question. I can ask John Level, the AG assigned to this site, if our Governor's Delegation letter is current.

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**From:** Marcy, Ken [<mailto:Marcy.Ken@epa.gov>]

**Sent:** Wednesday, May 20, 2020 1:16 PM

**To:** Pendowski, Jim (ECY) <[jpen461@ECY.WA.GOV](mailto:jpen461@ECY.WA.GOV)>

**Subject:** FW: Delegation of NPL state concurrence to Ecology for Bradford Island?

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Hi Jim,

I couldn't get a hold of Rebecca on this question. The listing rule is scheduled now to go out in early September. The Administrator is being briefed on June 2, which will hopefully give the green light to proceed with Bradford Island. If that's the case, we need to confirm state (Washington and Oregon) concurrence with the listing. Currently we have the letter from both directors of both Ecology and DEQ requesting that the site be placed on the NPL (Oct 2019), but I need to confirm that the governors have delegated authority for concurrence to the agencies. **Can you find out for me if this delegation exists and is in force?** If it is, then we can use the existing letter as long as we have confirmation that the governors' offices have been informed.

Thanks, Ken

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**From:** Marcy, Ken  
**Sent:** Tuesday, May 19, 2020 4:07 PM  
**To:** [rlaw461@ecy.wa.gov](mailto:rlaw461@ecy.wa.gov)  
**Subject:** FW: Delegation of NPL state concurrence to Ecology/DEQ?

Hi Rebecca,

Did you get a chance to check into this? If there's someone else I need to speak with let me know. Thanks! Ken

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**From:** Marcy, Ken  
**Sent:** Tuesday, May 12, 2020 11:04 AM  
**To:** [rlaw461@ecy.wa.gov](mailto:rlaw461@ecy.wa.gov); SCHWARZ Bob <[Bob.SCHWARZ@state.or.us](mailto:Bob.SCHWARZ@state.or.us)>  
**Subject:** Delegation of NPL state concurrence to Ecology/DEQ?

Hi Rebecca, Bob,

Just a quick update on the Bradford Island NPL listing. The listing rule is scheduled now to go out in early September. The Administrator is being briefed on June 2, which will hopefully give the green light to proceed with Bradford Island. If that's the case, we need to confirm state (Washington and Oregon) concurrence with the listing. Currently we have the letter from both directors of both Ecology and DEQ requesting that the site be placed on the NPL (Oct 2019), but I need to confirm that the governors have delegated authority for concurrence to the agencies. **Can you find out for me if this delegation exists and is in force?** If it is, then we can use the existing letter as long as we have confirmation that the governors' offices have been informed.

Thanks in advance for your help! Ken

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